

Support Historically Underutilized Businesses to Grow Your Construction Practice

A unique feature of construction yields a potential source of clients.

By Brian Gaudet

Those beginning their construction law career should be a focus on three things: (1) finding a mentor; (2) learning the trade (the law, construction, being practical); and, (3) developing relationships in the construction industry that will turn into clients and/or referrals. Practically speaking, the relationships most successfully turned into clients are those with smaller, but growing businesses that do not already have established relationships with lawyers or have used lawyers that are not particularly specialized in construction law. A unique feature of construction yields a potential source of these relationships.

In federal contracting and in many states there are programs in place to help direct some portion of the public work to include the use of historically underutilized businesses (HUBs), which in some places are referred to as disadvantaged business enterprises. Historically underutilized businesses may be defined in different ways, but the list typically involves minority-owned businesses, women-owned business, veteran-owned business, and small businesses. Because these entities are historically underutilized and/or disadvantaged, they have not had the opportunities for growth that others have had. The HUB programs are designed to provide an opportunity for small to mid-size businesses to get a foothold in the market, start to establish themselves, and grow. In addition to laws encouraging the use of such businesses, oftentimes local governmental entities will create offices or departments whose focus is on assisting these business and monitoring compliance with their programs.

Many times these offices and departments are asked by the HUBs to help solve their legal problems, which they cannot do. These offices and departments sometimes host legal seminars in an effort to provide a source of general legal information without becoming the HUBs legal advisors in a given matter. That is where there is a unique opportunity. Similar legal problems often arise for these businesses. The problems are generally not complex, but their resolution is nonetheless incredibly important to the survival of these businesses. The legal services most typically needed are assistance in getting paid (including assistance in filing lien or bond claims) contract reviews, labor and employment issues, company formation, and perhaps minor insurance-related issues. Most importantly, these small businesses need cost-effective practical advice and solutions to their legal problems. If you can learn the law, be practical, and offer a rate structure or alternative billing arrangement that works for these companies, there is a real opportunity to grow your practice over time and help these businesses grow.

Learn the law and then contact these offices and departments and see if you can offer a legal seminar geared to the problems these businesses face.